

FILED
JAMES BONINI
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

04 MAR 29 PM 3:03

MBJS, INC.,

Plaintiffs,

v.

VIMAL PATEL, et al.,

Defendant/Judgment Debtors

No. C-1-02-372

Judge Susan J. Dlott

AFFIDAVIT OF VIMAL PATEL

Vimal Patel on oath deposes and states as follows:

1. That this affidavit is made in support of the Motion to Vacate Default Judgment filed simultaneously herewith.
2. Affiant has resided at 1240 Blackburn Court, Apt. 104, Gurnee, IL 60031 from September 2000 to August 2003.
3. Affiant was represented by the law firm of Furnier & Thomas and Todd J. Flagel in these proceedings beginning May 2002.
4. Affiant did not receive a notice or a motion to withdraw filed by his attorneys by regular mail, certified mail, courier or facsimile and was completely unaware that said motion had been filed.
5. Affiant did not receive a copy of any court order granting the Motion to Withdraw referred to above either by regular mail, certified mail, courier, facsimile or by telephone or by any other means and was totally unaware of the entry of the order.
6. Affiant did not receive a Motion for Default Judgment filed by the plaintiff by

certified mail, courier, facsimile or by telephone or by any other means and was totally unaware of the filing.

7. Affiant did not receive a copy of the order granting the plaintiff's Motion for Default Judgment nor did he receive a copy of the Judgment Order by regular mail, certified mail, courier, facsimile or by telephone or by any other means, and was totally unaware of the entry of said order.
8. Affiant was totally unaware that judgment had been entered against him until he was served with a Citation to Discover Assets on or about March 9, 2004 in the Certification of Judgment case filed by plaintiff against affiant in the U.S. District Court, Northern District of Illinois (Chicago) designated as case No. 04-CV-401.
9. Affiant is sworn to as a witness could competently testify to the facts herein set forth.

FURTHER AFFIANT SAYETH NOT.


Vimal Patel

Subscribed and sworn to
before me, this 26th day
of March, 2004.


Notary Public

